

Yet another leap to the West?

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Inna Pidluska, Head of Foreign Policy Division of the UCIPR, President of the Europe XXI Foundation

On July 4, just three days after Denmark received the presidency of the EU and, by coincidence, after it closed its embassy in Ukraine (the only embassy in Europe out of ten it had to close due to budget shortages) the 6th Ukraine-EU summit opened in Copenhagen.

The venue of the summit could be seen as symbolic - in conjunction with the Copenhagen criteria for EU membership, announced in 1993. However, this time the issue of Ukraine's compliance/non-compliance with the Copenhagen criteria was not on the agenda. About ten days before the beginning of the summit, Ukrainian foreign ministry officials openly warned against too high expectations, as the summit was not supposed to bring any kind of a breakthrough in the Ukrainian-EU relations, and no radical turn in the relationship could be expected until the EU managed to «digest» the first wave of enlargement. Yet, some expectations of the Ukrainian leadership obviously went beyond a modest working meeting format. At a briefing for journalists on the eve of the summit head of the foreign policy department of the Presidential Administration Anatoly Orel claimed that «for the first time in the history of the summits [i.e., Ukraine-EU summits] the issue of formalization of future relations between Ukraine and the EU will be discussed.» The three blocks of issues, announced by Orel, included political situation and reforms in Ukraine, common foreign and security policy, EU enlargement, Ukraine-EU partnership in the fields of economy, crisis resolution, trade, investment, prospects for cooperation within WTO, energy, environment, justice and home affairs. The third block of issues involved conflict management in the Middle East, Transnistria, issues of disarmament and nonproliferation. The fact that the agenda was substantially updated virtually at the last minute suggests, among other things, that Ukraine's proposals largely exceeded what Brussels was prepared to offer and accept.

Ukraine's Perspectives

In Copenhagen President Kuchma «informed the leadership of the EU about key provisions of his Address to the Parliament, «The European Choice», and «stressed Ukraine's desire to raise the Ukraine-EU partnership to a new quality level». The EU responded with traditional praise of Ukraine's European aspirations, recognized positive economic developments, promised to analyze the materials Ukraine had provided in support of its claim for a market economy status, and agreed that there was a need to give «a new and strengthened dimension of strategic partnership between Ukraine and the European Union» (Ukrinform, July 4, 2002). However, the presentation of the president's Address to the Parliament and its benchmarks: signing an association agreement with the EU and completing negotiations about establishment of a free

trade area by the end of 2004; creation of a customs union with the EU in 2005-2007; gaining associate membership in the EU by 2007; creating conditions for joining the EU by 2011 - did not cause a kind of international response expected by the Ukrainian leadership.

Joining the EU has been identified as Ukraine's strategic goal, and the European integration process has been proclaimed in line with the fundamental needs of Ukraine's national development. In addition to the Partnership and Cooperation Agreement (PCA, 1998), Ukraine builds its relations with the EU on the Strategy of Joining the European Union (1999), the Program of Joining the European Union (2000) and the conceptual foundations of integration, outlines in the president's Address to the Parliament, «The European Choice» (March 2002). At the end of last year there was a parliamentary hearing on European integration, and a committee for European integration was established in the newly-elected parliament. On June 20 the new committee, led by Ukraine's European integration champion Boris Tarasiuk, achieved support of 257 MPs for an official Address of the Parliament of Ukraine to Parliaments, Governments and Citizens of the EU member states.

Meanwhile, the EU builds its relations with Ukraine on the PCA and the Common Strategy of the EU on Ukraine (approved in December 1999). None of those documents envisages granting an associate membership, let alone full membership, to Ukraine, though in March 2001 a resolution of the European Commission recognized Ukraine's European integration aspirations. However, currently the EU does not seem to be prepared for anything more than the neighbour state status, offered to Ukraine at the Luxembourg summit in April 2002. The issue of Ukraine's membership in the WTO also remains open, while the WTO membership is a prerequisite for the establishment of the free trade area between Ukraine and the EU, as specified in the PCA.

EU Perspectives

Traditionally, when taking the rotating presidency once every six months, an EU member state identified three priorities that it will seek to address during its presidency. As far as Denmark's priorities are concerned, they could be summarized as «enlargement, enlargement and once more enlargement». Denmark announced that its goal is to see the negotiation with the first wave candidate states completed by the end of its presidency, when the EU is expected to decide which of the candidate states will be invited to join.

Presenting his programme of action for the presidency, Danish Minister of Foreign Affairs announced that Ukraine should stick to the democracy course and ensure freedom of speech. «We do not want Ukraine to be forgotten by the European Union. We will seek to create a strategy of relations with the new neighbours,» he said. In a press release published at the Danish presidency's official site on July 3, Danish Prime Minister Andres Fogh Rasmussen mentioned that relations between Ukraine and Denmark had developed «at a calm and steady pace» in a number of areas, notably in agriculture, and stated that to ensure further development of the cooperation it was important to speed-up reform in Ukraine and that Ukraine should continue the pursuit of its international commitments, including those in the field of human rights. Though, the EU believes it would be premature to recognize Ukraine as a market economy until Ukraine produced proof of successful reforms of the judiciary system, the civil service reform and safeguarded freedom of speech.

Notwithstanding Ukraine's appeals for an associate membership, the EU seems reluctant to consider such a possibility even theoretically. Instead, at the recent Luxembourg summit the European Council authorized the European Commission to develop new approaches to countries that will soon become neighbours of the enlarged EU: Ukraine, Moldova and Belarus. The Ukrainian leadership announced its dissatisfaction with being included in the group of outsiders of the European integration processes, but the EU promised to develop some sort of an «individualized formula» to be applied to each of the three states. It is expected that the first signals as to what the EU means as «the neighbour state status» should appear at the end of August - beginning of September. It is unclear when (and if at all) Ukraine's position on the issue will be announced. Given the official criticism of the very idea, Ukraine's leadership may be reluctant to change its mind and agree to the proposal, but the issue of Ukraine-EU relations remains open.

Summing Up

The official document, signed by President of the European Council Anders Fogh Rasmussen, Secretary General of the EU Xavier Solana, head of the European Commission Romano Prodi and Ukrainian president Leonid Kuchma reads that the parties welcomed Ukraine's progress in meeting standards and requirements of the OSCE and the Council of Europe, particularly in terms of the recent parliamentary elections. Given the showers of criticism of the campaign, that could be seen as Ukrainian diplomats' success in forming a favorable image of the country.

Ukraine was informed that the European Council had decided to develop approaches to strengthening relations between the enlarged EU and its neighbours. The most that Ukraine has achieved to date by criticizing the idea is that the EU declared the importance of taking into account the differences between the neighbours both in terms of relations between the EU and each of the states and in terms of their political and economic development. Ukraine received a new invitation to take part in the European conference. Last year, the first invitation of this kind, made at the Goeteborgh summit, was then regarded by Ukraine as a certain breakthrough.

The document also mentioned progress in discussion of a possibility that the EU might use Ukraine's far-distance airlift capacity and continue consultations to that end. A couple of years ago the EU's political decision to turn down the Ukrainian-Russian cargo carrier, Antonov-7X, caused noticeable dissatisfaction of the Ukrainian establishment.

Although the only cooperation agreement, signed at the summit, was the agreement on cooperation in the field of science and technology, the Ukrainian leadership, reportedly, was satisfied with the result and described the summit as a success. Furthermore, in the field of approximation of Ukraine's legislation to that of the EU (which so far has been one of the most consistently pursued points of the PCA), the Ukrainian leadership announced the intention to make a schedule of priority fields for the approximation. However, given the multitude of «non-European» laws, particularly in the field of notorious «protection of national manufacturers», the approximation process is going to be a lengthy and difficult one.

One of the most significant achievements is the declared commitment of the EU to provide

substantial financial and technical assistance to Ukraine for development of an effective complex border management system and to continue the visa dialogue. Other traditional themes of the EU-Ukraine dialogue included the commitment to discuss the conditions for Euroatom and EBRD loans for completing the Rivne and the Khmelnytsky nuclear power plants in accordance with international safety standards. Naturally, the commitments was expressed to deal with the issues in the promptest manner. So far there has been little progress in that matter, and Leonid Kuchma even announced Ukraine would drop the idea of cooperating with the EBRD and turn to Russia for help in completing the NPPs. Last week the summit in Copenhagen discussed prospects for cooperation in the field of ensuring security of energy transportation, and the development of the market of biological fuel and «clean» coal mining techniques.

Instead of Conclusion

In the near future as well as in the mid-term, the Ukraine-EU relations will be based on the PCA, notwithstanding Leonid Kuchma's statement that Ukraine and the EU have already «gone beyond the framework of that agreement» and the claim of Anatoly Orel that the agenda of the Copenhagen summit proves that Ukraine has been recognized «as de facto associate member of the EU». Meanwhile, the PCA requires thorough analysis as to compliance of both Ukraine and the EU with their commitments. It is also necessary to analyze PCA and identify provisions that are no longer relevant and need to be updated. In a few years the PCA has to be substituted with a new agreement. No matter what the title of a new agreement will be, its contents are of critical importance for furthering the Ukraine-EU dialogue. The same concerns assistance programs and cooperative initiatives. Noteworthy, representatives of the Delegation of the European Commission increasingly often make it clear that the EU is not a loose association and that meeting the Copenhagen criteria does not mean automatic progress towards membership. Generally, the argument is accepted by experts of the Ukrainian agencies dealing with the EU, and the Ukrainian officials begin to show what can be described as «optimistic realism». As former foreign minister, now head of the parliamentary committee for European integration Boris Tarasiuk put it, «we have the right to expect changes in conceptual foundations of the EU's attitude to Ukraine». Yet, does the Ukrainian leadership have a sufficiently clear answer to the question «what kind of changes?» and «changes by means of what?» The lack of mutually acceptable ideas for such changes cannot be compensated with excessive enthusiasm.

